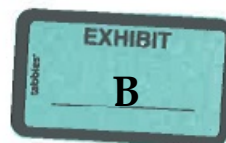


**In The Matter Of:**  
*Selena Howard, et al. v*  
*Forrest County, et al.*

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*Blake Smith*  
*April 27, 2020*

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*Min-U-Script® with Word Index*

Page 2

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Page 4

1 \* \* \* \* \*

2 BLAKE SMITH,

3 after having first been duly sworn, was

4 examined and testified under oath as follows,

5 to-wit:

6 EXAMINATION

7 EXAMINATION BY MR. WAIDE:

8 Q Would you give your name for the record,

9 please, sir.

10 A Blake Smith.

11 Q All right. Now, Blake, is your last name

12 not Bass?

13 A Not anymore, as of January.

14 Q Oh, okay. I just want to be sure you're the

15 right guy because I was about to begin --

16 A Yeah. Yeah. I changed it.

17 Q All right. Well, my name is Daniel Waide.

18 I think we've met once before. I asked you some

19 questions under oath in justice court. Now, have you

20 ever given a deposition before?

21 A I have not.

22 Q All right. Well, you obviously have

23 testified under oath before, right?

24 A Correct.

25 Q Okay. All right. Now, are you currently

<p style="text-align: right;">Page 5</p> <p>1 employed in law enforcement?</p> <p>2 A I'm not. I'm just a part-time officer,</p> <p>3 reserve.</p> <p>4 Q Okay. Is that still with Forrest County?</p> <p>5 A Correct.</p> <p>6 Q All right. And you also have, like, a tow</p> <p>7 truck business or something now?</p> <p>8 A It is my dad. I'm employed by him.</p> <p>9 Q Okay. And have you been doing that since</p> <p>10 going part-time with Forrest County?</p> <p>11 A Correct.</p> <p>12 Q All right. Now, give me your background in</p> <p>13 law enforcement.</p> <p>14 A I believe in August of 2016, I am a reserve,</p> <p>15 after turning 21, and started working at the jail.</p> <p>16 And then in January of 2017, I got hired on full-time</p> <p>17 to be a warrants officer. And then April through June</p> <p>18 of 2017, I went through the academy and then started</p> <p>19 patrol after that June 15th graduating the academy.</p> <p>20 And then all the way up to last April, I was full-time</p> <p>21 patrol deputy.</p> <p>22 Q And that's all been with Forrest County?</p> <p>23 A Correct.</p> <p>24 Q Okay. And I know we always say the academy</p> <p>25 or something like that. What academy did you go to,</p>	<p style="text-align: right;">Page 7</p> <p>1 Q Were you in your own car?</p> <p>2 A Correct.</p> <p>3 Q Okay. All right. And as I understand it,</p> <p>4 none of the cars back then had dash cams, right?</p> <p>5 A Correct. None of them.</p> <p>6 Q All right. And no body cams either, right?</p> <p>7 A No, sir.</p> <p>8 Q Okay. All right. Now, how much time passed</p> <p>9 between when y'all talked to the girl at the gas</p> <p>10 station to when y'all go to the house?</p> <p>11 A It is maybe two miles up the road. Not</p> <p>12 long. We went straight from there to the house.</p> <p>13 Q All right. Did you know the young girl who</p> <p>14 brought the information to Chey's attention?</p> <p>15 A Correct. She went to school with me and</p> <p>16 Darious. I think she graduated with me.</p> <p>17 Q Okay. And I know Chey spelled it for me. I</p> <p>18 just want to check. Do you know how she spells her</p> <p>19 last name?</p> <p>20 A R-Y-A-L-S, I want to say.</p> <p>21 Q Okay. Is there a Ryals who works for the</p> <p>22 sheriff's department? I may be getting the wrong</p> <p>23 department in mind.</p> <p>24 A I don't know. There was. I mean, the</p> <p>25 number two man, I want to say, but I don't know.</p>
<p style="text-align: right;">Page 6</p> <p>1 or police training?</p> <p>2 A The -- the one down in Camp Shelby.</p> <p>3 Q Okay. How long did that take?</p> <p>4 A It went from April to June.</p> <p>5 Q Okay. And I know -- give me a little bit --</p> <p>6 or just give me your educational background too,</p> <p>7 please.</p> <p>8 A Graduated from Forrest County Agriculture</p> <p>9 High School in 2014 with a diploma, and did some</p> <p>10 college at Pearl River Community College, and then</p> <p>11 that's when I went to the academy.</p> <p>12 Q Okay. All right. And I understand while</p> <p>13 you were at Forrest County, y'all won the state</p> <p>14 championship, right?</p> <p>15 A Correct.</p> <p>16 Q And you and Darious were on the same team?</p> <p>17 A Correct, we were.</p> <p>18 Q All right. Now, whenever y'all -- you and</p> <p>19 Chey received a call for -- about an animal check at</p> <p>20 the house where Darious and Selena live, kind of tell</p> <p>21 me how you came to get the information regarding the</p> <p>22 dogs at the house.</p> <p>23 A Chey actually got the information. I went</p> <p>24 along with him to assist on the call because of the</p> <p>25 dog's well-being and the welfare of the dogs, or dog.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q Okay. I just didn't know if they were</p> <p>2 related or if it was -- if you knew.</p> <p>3 A No.</p> <p>4 Q All right. So what do you remember</p> <p>5 happening when y'all first pulled onto the property</p> <p>6 where Selena and Darious live?</p> <p>7 A We saw a malnourished dog tied to a tree, in</p> <p>8 my opinion. The dog was very skinny and didn't have</p> <p>9 no food or water. So that's when -- I believe when</p> <p>10 Chey -- Darious did come out, so -- and then that's</p> <p>11 when Chey started the investigation, as far as I did</p> <p>12 too, and so it went from there.</p> <p>13 Q Okay. Now, other than what they teach you</p> <p>14 at the law enforcement academy just about animal</p> <p>15 welfare, did you have any other training about what</p> <p>16 constitutes animal abuse or violations of the law in</p> <p>17 Mississippi?</p> <p>18 A Other than the academy, no.</p> <p>19 Q What do you remember about the course you</p> <p>20 had at the academy?</p> <p>21 A I don't remember a lot.</p> <p>22 Q Okay. And at the time that y'all went to</p> <p>23 the house where Selena and Darious were, how long had</p> <p>24 you been a full-time certified officer?</p> <p>25 A I graduated in June, so this is in September</p>

<p style="text-align: right;">Page 9</p> <p>1 so...</p> <p>2 Q Okay. A few months?</p> <p>3 A Yeah.</p> <p>4 Q All right. And I know I've kind of already</p> <p>5 asked you this, but I always ask just to be sure.</p> <p>6 Between June and September, had you had any additional</p> <p>7 training on animal welfare?</p> <p>8 A No, I haven't.</p> <p>9 Q Now, at some point in time, you did have</p> <p>10 some taser training, though, right?</p> <p>11 A Correct.</p> <p>12 Q Did you get that at the academy or with</p> <p>13 Forrest County?</p> <p>14 A Both.</p> <p>15 Q All right. And you had gotten a certificate</p> <p>16 for being taser trained?</p> <p>17 A Correct.</p> <p>18 Q And as I understand it, you have to actually</p> <p>19 be tased as part of the training, right?</p> <p>20 A Correct.</p> <p>21 Q How enjoyable was that?</p> <p>22 A It was part of the training.</p> <p>23 Q I understand that, but it is not an</p> <p>24 enjoyable experience, right?</p> <p>25 A I mean, it is part of the training.</p>	<p style="text-align: right;">Page 11</p> <p>1 Q Proper procedure, you don't just go looking</p> <p>2 around at a property without checking to see if</p> <p>3 there's somebody in the house who, for instance, could</p> <p>4 be a danger, right?</p> <p>5 A Well, the dog was right there, so...</p> <p>6 Q How far from the house was the dog?</p> <p>7 A A couple of yards, if that.</p> <p>8 Q Okay. Do you remember who the first person</p> <p>9 y'all made contact with was?</p> <p>10 A I don't. I don't recall.</p> <p>11 Q When you get out and you're looking at the</p> <p>12 dog, tell me what happens once y'all are out there by</p> <p>13 the dog.</p> <p>14 A I believe all of them came out. I want to</p> <p>15 say all, Selena, Darious. I don't know if the mom was</p> <p>16 out there yet. But I do remember the interaction with</p> <p>17 all of them, and I remember -- like I say, it's been a</p> <p>18 few years back. I do remember Chey and Darious, him</p> <p>19 showing -- Darious was going to show Chey the food in</p> <p>20 the house.</p> <p>21 Q Okay.</p> <p>22 A And that's when it kind of went from there.</p> <p>23 Q All right. Now, before we get to that</p> <p>24 point, had either one of you asked for the dog to be</p> <p>25 taken off the tree?</p>
<p style="text-align: right;">Page 10</p> <p>1 Q I understand, but would you want to be</p> <p>2 tased?</p> <p>3 A I've gotten tased since then. Part of the</p> <p>4 training, so...</p> <p>5 Q I understand. But would you go to somebody</p> <p>6 and ask, just for fun, Hey, tase me?</p> <p>7 A No.</p> <p>8 Q All right. And the -- I want to be sure I'm</p> <p>9 clear. When y'all are pulling up to the house, who is</p> <p>10 the lead car, you or Chey?</p> <p>11 A Chey.</p> <p>12 Q All right. When did you first see the dog</p> <p>13 by the tree?</p> <p>14 A When I exited my patrol car. As we were</p> <p>15 pulling up, you could see it off on the tree.</p> <p>16 Q All right. And did y'all go to the tree</p> <p>17 before you made contact with anybody in the house?</p> <p>18 A I don't recall. I don't -- I don't think --</p> <p>19 I don't -- I don't remember anybody coming out at</p> <p>20 first. I don't really recall.</p> <p>21 Q All right. Well, now, would it be true,</p> <p>22 though, that proper procedure would have required</p> <p>23 y'all to make sure whether or not anybody is in the</p> <p>24 house before you begin investigating a property?</p> <p>25 A Say the question again.</p>	<p style="text-align: right;">Page 12</p> <p>1 A I did not.</p> <p>2 Q Okay. Do you know -- was the dog taken off</p> <p>3 the tree?</p> <p>4 A I don't recall. I can't remember that, no.</p> <p>5 Q Okay. Now, when Chey and Darious -- they</p> <p>6 were both on the porch with the bucket of food at some</p> <p>7 point, correct?</p> <p>8 A Darious brought the food out. Well, there</p> <p>9 was no food in the bucket, but he did bring the food</p> <p>10 out of the house.</p> <p>11 Q All right. Were you up on the porch, or was</p> <p>12 it just Chey and Darious?</p> <p>13 A Just Chey and Darious.</p> <p>14 Q Okay. All right. Where were you when they</p> <p>15 were on the porch?</p> <p>16 A Just below the steps. I was -- I was over</p> <p>17 there by Selena.</p> <p>18 Q Okay. And so roughly how far away were you</p> <p>19 from the doorway?</p> <p>20 A A few feet. I mean, it was a step up and</p> <p>21 then on the porch. So, I mean, a few feet. I could</p> <p>22 hear -- I could -- I know what they were saying, I</p> <p>23 guess you could say.</p> <p>24 Q Okay. And what were you doing while they</p> <p>25 were on the porch?</p>

Page 13

1 A Watching them.  
2 Q Okay.  
3 A Assisting.  
4 Q All right. And do you know what Selena and  
5 Ms. Antrinet Leggett were doing?  
6 A I don't recall, no. I want to say Selena  
7 was standing right beside me, if I'm not mistaken.  
8 Q I know you know Darious from football days.  
9 Did you know Selena before this?  
10 A Correct. Yeah. They dated all throughout  
11 high school.  
12 Q And you knew them from Forrest County?  
13 A Correct.  
14 Q Okay. Forrest County Ag High School, I  
15 guess, to be more specific?  
16 A Yeah.  
17 Q Had you ever known Ms. Antrinet Leggett?  
18 A I do not. No.  
19 Q Okay. Were you involved with the stop that  
20 Chey Sumrall had with her about a month prior?  
21 A I did assist him but he had already arrested  
22 her, and I stood by for the tow truck.  
23 Q Okay. That wasn't your dad's tow truck, was  
24 it?  
25 A No. No.

Page 14

1 Q Okay. All right. Now, what do you remember  
2 happening after Darious brings the food bucket out?  
3 A Well, he was very aggressive, and I do  
4 remember Chey was going to turn him around, and was  
5 going to -- well, attempted to arrest him, but he --  
6 he was not having it. And before I could even get up  
7 there, they -- I don't remember -- I don't remember --  
8 I can't remember how they got off the porch, but they  
9 were off the porch, and then it went from -- it went  
10 from there. He did not -- he was very resistive and  
11 verbal, as far as his, you know -- so...  
12 Q Did you ever make it up onto the porch  
13 before they got down?  
14 A I don't -- I don't remember. I don't think  
15 so, no.  
16 Q Okay. Now, when you say that he was very  
17 verbal, what are you talking about?  
18 A Yelling and cussing.  
19 Q Okay. What was he saying?  
20 A I don't recall. I just know -- I do know he  
21 was yelling and cussing.  
22 Q Did he ever make -- did Darious ever make  
23 any threats towards you?  
24 A No.  
25 Q Did he ever make any threats that you heard

Page 15

1 towards Chey?  
2 A Towards Chey? He -- he did not want him to  
3 arrest him for sure.  
4 Q Okay. I understand that. And nobody wants  
5 to be arrested, but --  
6 A Oh, yeah. Correct.  
7 Q -- did he ever make any threats towards  
8 Chey?  
9 A I don't recall.  
10 Q Okay. Now, you're actually the one who  
11 deployed your taser with Darious, correct?  
12 A Correct.  
13 Q All right. At the time you deployed your  
14 taser, what was Chey doing?  
15 A Trying to put cuffs on.  
16 Q Okay. I know you say trying to put cuffs on  
17 but can you be a little more descriptive?  
18 A Well, he was trying to get his hand around,  
19 and I remember the mother actually was coming over  
20 there and trying to push Chey as well. So -- and I  
21 was in the middle, and then Darious, I remember him  
22 actually swinging as we were giving verbal commands  
23 to, "Stop, put your hands behind your back." And then  
24 that's when I stepped back and I tased him. It was a  
25 quick motion because of him actually trying to use

Page 16

1 physical altercations with Chey.  
2 Q Blake, you understand there's been  
3 affidavits and incident reports, and that's the  
4 first -- even after justice court, that's the first  
5 time anybody's said anything about swinging. Any  
6 reason for that?  
7 A No, sir. I remember that. That's -- that's  
8 what I remember.  
9 Q Any reason why it is not in your incident  
10 report?  
11 A It should have been, him being aggressive.  
12 Q Any reason why you didn't talk about Darious  
13 swinging when you testified in justice court?  
14 A I believe I did.  
15 Q Okay. Now, before you deployed your taser,  
16 did you give any commands or warnings?  
17 A We're trained to, yes, sir, so I believe I  
18 did. Like I said, it's been three years, two years  
19 ago.  
20 Q Well, I know you're trained to, but do you  
21 remember whether or not you did?  
22 A I don't.  
23 Q Do you remember whether or not Mr. Sumrall  
24 had tried any techniques for someone who is being  
25 resistant before the taser was deployed?

Page 17

1 A I don't recall, but Darious is a very large  
2 individual.  
3 Q Okay. Well, you're not too skimpy yourself  
4 there, Blake, so I was just curious. Did Chey,  
5 though, try any techniques prior to you deploying --  
6 A I don't recall. I don't recall.  
7 Q All right. And what verbal commands had  
8 been given to Darious before you deployed your taser?  
9 A Stop resisting.  
10 Q Okay. Who gave that command?  
11 A I believe -- I know I did several times.  
12 Q When did you give that command?  
13 A When he -- when he was telling -- when Chey  
14 was trying to arrest him.  
15 Q Okay. You never actually tried to place  
16 Darious under arrest, correct?  
17 A Correct.  
18 Q Okay. And then after you deployed your  
19 taser, Chey is the one who actually put the handcuffs  
20 on Darious, right?  
21 A Correct.  
22 Q All right. How far away were you from  
23 Darious when you deployed your taser?  
24 A It wasn't -- it wasn't far.  
25 Q Okay. Your report said about five feet.

Page 18

1 Does that sound about right?  
2 A I don't know what my report said right  
3 offhand.  
4 Q Well, would that sound about right, or do  
5 you think it would be more or less?  
6 A I don't know.  
7 Q Okay. And you've been trained on how to use  
8 your taser, right?  
9 A Correct.  
10 Q All right. Now, prior to -- you say Darious  
11 swung. Who did he swing at?  
12 A Chey.  
13 Q Okay. And I take it he didn't make any  
14 contact with Chey?  
15 A Correct.  
16 Q All right. And how far away from Chey was  
17 Darious when you say he swung?  
18 A They were -- they were touching. I mean, it  
19 was very close proximity.  
20 Q Okay. And when you stepped back, you pulled  
21 your taser out?  
22 A Correct.  
23 Q Okay. And when you pulled your taser out,  
24 was the cartridge already loaded?  
25 A When you pull it out, you actually have to

Page 19

1 take it off if you want to -- you know, dry taser, you  
2 know, so it's already on. The taser is already -- I  
3 mean, it is already -- all you've got to do is switch  
4 a -- switch it on to make it actually fire, you know.  
5 Q Okay. And how much time passed between the  
6 time that you stepped back and the time you fired your  
7 taser?  
8 A It was seconds.  
9 Q All right. And how many times have you  
10 deployed your taser previously?  
11 A I do not know.  
12 Q Had you deployed your taser previously?  
13 A That day or that -- I mean --  
14 Q In the three months that you were a  
15 full-time certified officer, how many times had you  
16 had to use your taser on a suspect?  
17 A I do not know that answer.  
18 Q Had you used it on a suspect previously?  
19 A I know I have. I just don't know how many  
20 times, sir, or what.  
21 Q And when you do your taser training, what  
22 does that entail?  
23 A Training? Training during the academy and  
24 when I actually got trained?  
25 Q Yes, sir. I mean, when you do your taser

Page 20

1 training, just tell me -- both at the academy and  
2 Forrest County, tell me what that was about.  
3 A You have to watch a video, and, like, during  
4 the academy we watched a video, and then several  
5 different individuals actually got tased. And we had  
6 to learn how to take them out and put them all back  
7 and how to do an incident report. Same with Chris  
8 Selman, and you actually get tased with him too.  
9 Q Okay. But I mean, you actually learn how to  
10 shoot the taser, right?  
11 A Correct.  
12 Q Okay. How many times in training -- how  
13 many shots do you have to take with the taser?  
14 A How many what?  
15 Q How many times do you have to shoot the  
16 taser as part of your training?  
17 A I know during the academy I didn't shoot it  
18 none. During the training with Chris Selman, I shot  
19 it I want to say three times, two or three.  
20 Q Okay. Now, are these the tasers that have a  
21 red dot -- a laser site on it to where it's got the  
22 red dot where you're aiming?  
23 A Yes, sir. You can have it on or you can  
24 have it off. It's got an option on it, the new one I  
25 had.

Page 21

1 Q Blake, how tall are you?  
 2 A I am 5'6".  
 3 Q Okay. You're a little bit shorter than  
 4 Darious, right?  
 5 A Yes, sir.  
 6 Q All right. And how much time -- before you  
 7 deployed your taser, how long did you hold it before  
 8 you actually -- after you had drawn the taser, how  
 9 long were you holding the taser before you discharged  
 10 it?  
 11 A It was seconds. I pulled it out and  
 12 actually engaged it.  
 13 Q So you're saying you didn't take any time to  
 14 aim the taser?  
 15 A When I pulled it out, I had the side -- I  
 16 did an actual side carry at that point, so when I  
 17 pulled it out and drew it and shot, yes, sir.  
 18 Q Okay. After Darious swung at -- you say  
 19 that Darious swung at Chey. Where was Chey at that  
 20 time?  
 21 A Chey at the time that I tased?  
 22 Q No. When Darious swung, where was he?  
 23 A Wait, they were still -- I mean, he had one  
 24 arm, if I'm not mistaken. But I do know they were  
 25 right at each other.

Page 22

1 Q Okay. And you just -- you think that Chey  
 2 had an arm of Darious' at the time?  
 3 A I believe so. I don't -- I don't -- I don't  
 4 remember.  
 5 Q Okay. Right arm or left arm for Chey? I  
 6 mean, did Chey have Darious' right or left arm?  
 7 A I don't recall. I don't know.  
 8 Q Okay. All right. But as I understand it, I  
 9 just want to be sure I get -- because obviously, most  
 10 of the entire allegations are based on the tasing  
 11 part, so we want to be sure we get as many facts as we  
 12 can.  
 13 A Correct. I understand.  
 14 Q When you discharged the taser, where was  
 15 Chey standing?  
 16 A I want to say on the right of Darious.  
 17 Q Okay. And when you discharged the taser,  
 18 was Darious facing you?  
 19 A I mean, from where I shot him, yes, he had  
 20 to have been.  
 21 Q Okay. And what happened after you shot your  
 22 taser?  
 23 A He fell to the ground.  
 24 Q Okay. And do you recall whether or not  
 25 Darious was able to walk after being tasered?

Page 23

1 A I don't recall.  
 2 Q And after you had discharged your taser, did  
 3 you give your taser to Chey?  
 4 A I believe I threw it on the ground because  
 5 that's when I was going -- I went to place  
 6 Ms. Antrinet, Ms. Leggett, under arrest for her  
 7 getting in the middle of the fight and actually  
 8 pushing myself during -- me and Chey trying to arrest  
 9 Darious. And I tried to keep her back, but...  
 10 Q Okay. Did you ever --  
 11 A I did give her verbal commands to step back  
 12 several times.  
 13 Q All right. Did you give those verbal  
 14 commands before or after you tased Darious?  
 15 A I don't recall after -- I don't know if I  
 16 did after.  
 17 Q When you went to place Ms. Antrinet under  
 18 arrest, where was she?  
 19 A She was off to the side, I believe by a lawn  
 20 mower, in fact. I don't know why I remember a lawn  
 21 mower, but I do.  
 22 Q Was she on the ground or standing up?  
 23 A Standing up.  
 24 Q When you went to -- and you placed handcuffs  
 25 on Antrinet?

Page 24

1 A I attempted. She is actually a larger human  
 2 being than I am as well, and I -- quite simply, I  
 3 couldn't get the handcuffs on her. It took several  
 4 times.  
 5 Q All right.  
 6 A She was actually on the phone with somebody,  
 7 if I'm not mistaken, while I was trying to put  
 8 handcuffs on her.  
 9 Q And what was the -- why were you arresting  
 10 Ms. Antrinet after Darious had been tased?  
 11 A Disorderly conduct. Disobeying a law  
 12 enforcement command.  
 13 Q And what commands are you saying that  
 14 Ms. Antrinet did not obey?  
 15 A I told her to step back several times during  
 16 the arrest of Darious Leggett.  
 17 Q Okay. Did you tell her -- I think I already  
 18 asked you this, but so I'm clear, did you tell her to  
 19 step back after he tased Darious?  
 20 A I don't believe so. I don't know.  
 21 Q Okay. Did Ms. Antrinet ever make contact  
 22 with you?  
 23 A She did. She was -- I wouldn't say she was  
 24 actually pushed, pushed me, but I remember her getting  
 25 in the middle of all what was happening with Darious.

Page 25

1 And I did -- I did try to push her off several times.  
2 But like I said, she's a larger human being than me.  
3 Q Okay. When you pushed her, do you know  
4 whether or not she fell to the ground?

5 A No, she didn't. Like I said, she's larger  
6 than me.

7 Q Okay. All right. Now, Blake, what -- in  
8 law enforcement, I mean, what is your primary --  
9 what's the number one goal for a law enforcement  
10 officer?

11 A To serve the people of the county that you  
12 serve to -- (audio glitch) --

13 COURT REPORTER: To what?

14 A To serve the people of the county that  
15 you're in. I mean, to your best -- to the best  
16 interest of them.

17 MR. WAIDE: (Continuing.)

18 Q Okay. Would you agree -- I mean, protecting  
19 the public is, you know, one of your jobs in law  
20 enforcement?

21 A I'll say protecting the public and also  
22 enforcing the laws.

23 Q Okay. And with the time -- you never went  
24 on the porch, but when y'all first pulled up to the  
25 house that day, you don't know how long the dog had

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1 Q Okay. Did anybody ask who owned the dogs?

2 A I don't recall if we did.

3 Q Okay.

4 MR. WAIDE: Give me just a minute. I  
5 think we're about done, Blake. Let me just talk to my  
6 clients real quick.

7 THE WITNESS: Okay.

8 (Off the record.)

9 MR. WAIDE: I've got a couple of more  
10 questions and I'll be done. Are we back on?

11 COURT REPORTER: We are.

12 MS. SMITH: I think they're still  
13 muted.

14 MR. WAIDE: (Continuing.)

15 Q All right. Blake, do you know what happened  
16 to Ms. Antrinet's phone during this incident?

17 A Do not.

18 Q All right.

19 A I remember her being on it, but I don't -- I  
20 don't remember what happened to it.

21 Q Okay. What do you remember about her being  
22 on the phone?

23 A She was on the phone with someone. That's  
24 about all I remember. As I was trying to arrest her.

25 Q Now, at the time she was on the phone, how

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1 been tied to the tree, right?

2 A I do not.

3 Q And you don't know whether or not the dog  
4 had been fed that morning, correct?

5 A Correct. I don't.

6 Q And you don't know whether or not the dog  
7 had had any water that morning?

8 A I do not.

9 Q Okay. And you were told, weren't you, that  
10 the dogs had been fed, just not a lot of food. Is  
11 that fair to say?

12 A I don't remember me being told anything. I  
13 do remember Darious saying he had food in the house.  
14 That's all I recall.

15 Q Okay. Now, before y'all got to the --  
16 before Chey and Darious were on the porch, had anybody  
17 claimed ownership of the dogs?

18 A I don't recall. No, I don't.

19 Q All right. Did you know who owned the dogs  
20 when Chey and Darious were on the porch?

21 A I assume they did.

22 Q I know you assume that, but did you know at  
23 that time who owned the dogs?

24 A I did not know. I figured he was going in  
25 the house to get dog food for his dogs.

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1 much time, prior to her -- or you arresting her, when  
2 was the last time you had given her any verbal  
3 command?

4 A I gave her verbal commands to put her hands  
5 behind her back, but --

6 Q That was while she was on the phone?

7 A Yeah. While she was on the phone and I'm  
8 trying to arrest her. She knew I was trying to arrest  
9 her. I mean, I had one cuff on her.

10 Q I understand. But prior to you seeing her  
11 on the phone, when is the last time you had given her  
12 a verbal command?

13 A Whenever I tased Darious. Before I tased  
14 Darious, I told her to step back several times. And  
15 then when I tased Darious, he fell, and then my  
16 attention went to her. She actually was on the phone  
17 whenever I, like -- she made the call when I was  
18 trying to arrest her.

19 Q Okay. Did she step back after you tased  
20 Darious?

21 A No. She was still -- she was still in  
22 there.

23 Q And what was the weather like that day, do  
24 you remember, that morning?

25 A It's -- it was always a hot day, August,



1 September, all of that. It is hot in those vests too,  
2 so...  
3 Q All right.  
4 MR. WAIDE: That's all I have.  
5 MS. SMITH: Okay. I have a few  
6 questions for you, Blake.  
7 E X A M I N A T I O N  
8 EXAMINATION BY MS. SMITH:  
9 Q Let's go back. You were conducting an  
10 animal welfare check, correct?  
11 A Correct.  
12 Q You were accompanying Chey on an animal  
13 welfare check?  
14 A Correct.  
15 Q Okay. And when you got on the property, you  
16 immediately saw the dog?  
17 A Correct.  
18 Q He was right next to your car?  
19 A Not right next to my car, but I do remember  
20 getting out and seeing the dog. I actually saw the  
21 dog when we were pulling up. I mean, it was right  
22 there.  
23 Q Did it look malnourished to you?  
24 A I -- yes. Yes. I felt, yes.  
25 Q Did you see its bones sticking out?

1 A Yes, ma'am. It was -- the ribs were  
2 definitely showing.  
3 Q Did they have any food or water -- did they  
4 have food or water bowls at all?  
5 A I think they had them, but there was nothing  
6 in them.  
7 Q Was there any shelter?  
8 A No, ma'am.  
9 Q Okay. And when you first made contact with  
10 Darious and Selena and Ms. Leggett, did any of them  
11 ever ask you to leave the property?  
12 A I don't recall if they did or didn't. I  
13 mean, they -- I remember Darious saying he was going  
14 to go show us the food.  
15 Q So none of them ever said, "We want you to  
16 leave"?  
17 A I don't recall. No.  
18 Q Okay. Let's see. So did -- was there --  
19 would you think there was enough probable cause for  
20 you to suspect that there was negligent going on?  
21 A I do.  
22 Q Did you tase Ms. Leggett?  
23 A I did not.  
24 Q Okay. Did you -- once you tased Darious,  
25 did you ever remove your cartridge?

1 A I did. I believe when I put it on the  
2 ground, I did. Yes.  
3 Q Okay. Did you ever pick it back up again?  
4 A I believe I did whenever the dog -- one of  
5 the dogs was actually biting my pants leg, so I  
6 believe I tried to dry stun it or scare it away at  
7 least.  
8 Q Did you zap your taser a few times?  
9 A I did. Yeah. Yes. Because I remember the  
10 dog trying to bite me. I think Chey tried to help me  
11 out there too. I don't -- I don't -- I don't remember  
12 quite -- I believe so. Yeah, though, the --  
13 Q Okay. And this was after the incident?  
14 A This was me trying to arrest Ms. Leggett.  
15 Q Okay. It was after you arrested  
16 Ms. Leggett?  
17 A No. This was during the -- Ms. Leggett.  
18 Q Okay. When Ms. Leggett tried to intervene,  
19 did she ever get physical?  
20 A She did -- I wouldn't say she actually put  
21 her hand -- but her body, you know, I remember her all  
22 up on me, you know, trying -- Chey was trying to --  
23 and I was trying to protect Chey, of course, when he  
24 was trying to arrest Mr. Leggett.  
25 Q Okay. Did she resist your arrest?

1 A She did.  
2 Q Okay. I wanted to introduce to you your  
3 incident narrative, and it's on CLT Howard 6.  
4 MS. SMITH: Mary Lee, can you get that  
5 for me?  
6 MS. SMITH: (Continuing.)  
7 Q Is this the narrative that you wrote  
8 immediately after the arrests?  
9 A Yes.  
10 Q Okay. And this is your narrative?  
11 A Yeah. Yeah.  
12 Q Would this be one of the better  
13 recollections of what occurred?  
14 A Yes, ma'am.  
15 Q Okay. So look at four paragraphs down.  
16 A One, two, three, four.  
17 Q And what does that first line say?  
18 A "Mr. Leggett continued to be aggressive, at  
19 which point we attempted to arrest the subject, but he  
20 attempted to fight with deputies.  
21 Q Is that what you're referring to when he  
22 swung at Chey?  
23 A Correct. And that's when the mother,  
24 Antrinet, was wedging herself in between the deputies.  
25 Q So it is in your incident report?

<p style="text-align: right;">Page 33</p> <p>1 MR. WAIDE: Object to form.</p> <p>2 MS. SMITH: (Continuing.)</p> <p>3 Q It is in your incident report that the</p> <p>4 deputies were -- I'm sorry. Let me rephrase. It is</p> <p>5 in your incident report that Mr. Leggett was physical</p> <p>6 with you?</p> <p>7 A With -- yes, ma'am.</p> <p>8 Q With the deputies, with you?</p> <p>9 A Yes, ma'am. Correct.</p> <p>10 Q And then next it says, "Antrinet wedged</p> <p>11 herself in between deputies and her son to prevent the</p> <p>12 arrest, and she disobeyed lawful orders."</p> <p>13 A Yes, ma'am, she did.</p> <p>14 Q "And continued to push and shove." Would</p> <p>15 that be accurate?</p> <p>16 A Yes, ma'am.</p> <p>17 Q Okay. And just really quick, I just want to</p> <p>18 go back. When you first entered the property, did</p> <p>19 Selena or Darious, did it seem like a consensual</p> <p>20 encounter?</p> <p>21 A I mean, they -- yeah, I mean, they -- I</p> <p>22 spoke to them like we were in high school still. I</p> <p>23 mean, I'd never -- we never -- how do I say it? We --</p> <p>24 I did not not get along with them.</p> <p>25 Q And they agreed to show you the dog foods?</p>	<p style="text-align: right;">Page 35</p> <p>1 Q You referenced earlier or you were asked</p> <p>2 about probable cause for neglect. Had you had any</p> <p>3 training on what constitutes neglect in Mississippi?</p> <p>4 A During the academy, I did. I can't read off</p> <p>5 the laws specifically, but I mean, during the academy,</p> <p>6 yes.</p> <p>7 Q Okay. And just so I'm clear, at the time</p> <p>8 you arrived, you don't know how long the dog had been</p> <p>9 tied to the tree, right?</p> <p>10 A I do not know that, no.</p> <p>11 Q And you don't know how long the food bowl</p> <p>12 had been empty, correct?</p> <p>13 A Correct.</p> <p>14 Q And did you have any information to say that</p> <p>15 anybody living in that house was intentionally</p> <p>16 withholding food from those animals?</p> <p>17 A I don't. The bones were showing, though.</p> <p>18 Q Okay. I understand that. Did you have any</p> <p>19 information to show that anybody living in that house</p> <p>20 was maliciously abusing those animals?</p> <p>21 A I don't.</p> <p>22 Q Okay. Is there any other law that you've</p> <p>23 been trained on that does not require malicious intent</p> <p>24 in order to be criminal?</p> <p>25 A I can't answer that. I don't know.</p>
<p style="text-align: right;">Page 34</p> <p>1 A Correct.</p> <p>2 Q They never acted like they wanted you to</p> <p>3 leave?</p> <p>4 A I mean, he was --</p> <p>5 Q Not --</p> <p>6 A He was mad, but I mean, he never -- I mean,</p> <p>7 he never not -- wasn't not going to show us the dog</p> <p>8 food.</p> <p>9 Q Okay. And he -- and it wasn't until he --</p> <p>10 okay.</p> <p>11 MS. SMITH: That's all I have.</p> <p>12 MR. WAIDE: Have you got any questions?</p> <p>13 MS. SMITH: She doesn't represent him.</p> <p>14 MR. WAIDE: Oh, oh. I'm sorry. She</p> <p>15 still represents Chey. She still has the ability to</p> <p>16 ask --</p> <p>17 MS. SMITH: Oh, yeah. Oh, you're</p> <p>18 right. Do you have any, Mary Lee?</p> <p>19 MS. HOLMES: I don't have any further</p> <p>20 questions.</p> <p>21 MS. SMITH: Okay.</p> <p>22 MR. WAIDE: I just have a couple of</p> <p>23 follow up for you, Blake.</p> <p>24 EXAMINATION</p> <p>25 EXAMINATION BY MR. WAIDE:</p>	<p style="text-align: right;">Page 36</p> <p>1 Q Okay.</p> <p>2 MR. WAIDE: That's all I have. Thank</p> <p>3 you, Blake.</p> <p>4 THE WITNESS: Thank you, sir.</p> <p>5 (WHEREUPON, THE DEPOSITION WAS</p> <p>6 CONCLUDED AT APPROXIMATELY 3:30 p.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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1  
2 CERTIFICATE OF REPORTER  
3  
4 I, AMANDA WOOTTON, Court Reporter and Notary  
5 Public for the State of Mississippi, do hereby certify  
6 that the above and foregoing pages contain a full,  
7 true and correct transcript of the proceedings had in  
8 the aforementioned case at the time and place indicated,  
9 which proceedings were recorded by me to the best of  
10 my skill and ability.  
11 I also certify that I placed the witness under  
12 oath to tell the truth and that all answers were given  
13 under that oath.  
14 I certify that I have no interest, monetary or  
15 otherwise, in the outcome of this case.  
16 This the 28th day of April 2020.  
17  
18  
19  
20  
21  
22 AMANDA M. WOOTTON  
23 My Commission Expires:  
24 December 15, 2022  
25

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1 CERTIFICATE OF DEPONENT  
2  
3  
4 I, \_\_\_\_\_, do hereby  
5 certify that the foregoing testimony is true and  
6 accurate to the best of my knowledge and belief, as  
7 originally transcribed, or with the changes as noted  
8 on the attached Correction Sheet.  
9  
10  
11  
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17  
18 Subscribed and sworn to before me  
19 this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
20  
21 \_\_\_\_\_  
22 Notary Public  
23  
24 My Commission Expires:  
25

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1 CORRECTION SHEET  
2  
3 I, \_\_\_\_\_, do hereby  
4 certify that the following corrections and additions  
5 are true and accurate to the best of my knowledge and  
6 belief.  
7  
8 CORRECTION PAGE LINE REASON  
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18  
19 Subscribed and sworn to before me  
20 this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
21  
22  
23 \_\_\_\_\_  
24 My Commission Expires: Notary Public  
25

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